

A RESOLUTION

06-*R*-0050

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AIRPORT USE LICENSE AGREEMENT WITH CATHAY PACIFIC AIRWAYS, LTD., COVERING THE USE OF RUNWAYS, TAXIWAYS AND OTHER COMMON AIRFIELD FACILITIES AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, Cathay Pacific Airways, Ltd. desires to provide regularly scheduled Cargo Service from Hartsfield-Jackson Atlanta International Airport ("Airport"); and

WHEREAS, in furtherance of its plan to operate such flights, Cathay Pacific Airways, Ltd. desires to enter into an Airport Use License Agreement with the City of Atlanta ("City") as an international carrier serving the Airport; and

WHEREAS, the Aviation General Manager believes that it is in the best interest of the Airport and the City to enter into an Airport Use License Agreement with Cathay Pacific Airways, Ltd., as hereinafter set forth, and recommends the execution of such an Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and hereby is authorized to execute on behalf of the City of Atlanta an appropriate Airport Use License Agreement with Cathay Pacific Airways, Ltd. which shall contain the following terms, conditions, and provisions:

- 1) a term effective as of February 1, 2006 and ending September 20, 2010; provided that either party may terminate the agreement by giving at least 30 days prior written notice to the other party; and
- 2) a landing fee to be computed at the initial landing fee rate of \$0.44854 per 1,000 pounds of the FAA Maximum Certificated Gross Landing Weight of each aircraft scheduled to land at the Airport, which landing fee rate shall be subject to adjustment from time to time at the discretion of the City acting through its Aviation General Manager. Such adjustments shall be to levels comparable to the landing fee rates charged similarly classified airlines at the Airport; and
- 3) such other terms, conditions, and provisions as may be required by City ordinances or Federal regulations or which are otherwise deemed appropriate by the Aviation General Manager.

BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare said Airport Use License Agreement for execution by the Mayor, with same to be approved as to form by the City Attorney.

BE IT FINALLY RESOLVED that said Airport Use License Agreement shall not become binding upon the City of Atlanta, and the City of Atlanta shall incur no obligation nor liability thereunder until the same has been signed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Cathay Pacific Airways, Ltd.

Legislative White Paper

Committee of Purview: **TRANSPORTATION**

Caption: A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AIRPORT USE LICENSE AGREEMENT COVERING THE USE OF RUNWAYS, TAXIWAYS AND OTHER COMMON AIRFIELD FACILITES WITH CATHAY PACIFIC AIRWAYS, LTD.

Council Meeting Date: January 3, 2006

Legislation Title: Airport Use License Agreement with Cathay Pacific Airways, Ltd.

Requesting Dept.: AVIATION

Contract Type: Airport Use License Agreement

Source Selection: N/A

Bids/Proposals Due: N/A

Invitations Issued: N/A

**Number of Bids/
Proposals Received:** N/A

Bidders/Proponents: N/A

Justification Statement: Cathay Pacific Airways desires to commence cargo operations out of Hartsfield-Jackson Atlanta International Airport. Cathay Pacific Airways, Ltd. will be initially operating three cargo flights weekly to Atlanta and will expand to six flights weekly in 2006. The air carrier desires to enter into an Airport Use License Agreement with the City of Atlanta. The Airport Use License Agreement is needed to establish the terms and conditions under which Cathay Pacific Airways, Ltd. will operate at the airport. Initial incoming flights will be from Dallas and departing flights will be bound for Anchorage, Alaska.

Fund Account Center: N/A

Source of Funds: N/A

Fiscal Impact: N/A

Term of Contract: Ending September 20, 2010

Method of Cost Recovery: N/A

Approvals:

DOF:

DOL: Yes

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